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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,805	03/30/2001	Bill Kitchen	23952-0035	6581

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EXAMINER
HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
3691	

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06/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 April 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>34-39,41,43-51,53 and 58-70</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>34-39,41,43-51,53 and 58-70</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some *   c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>04272007</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

On August 31, 2006, an Office Action was sent to the Applicant rejecting claims 34-57. On February 26, 2007, the Applicant responded by amending claims 34-36, 39, 43-46, 49, and 53; adding new claims 58-70; and canceling claims 40, 42, 52, and 54-57.

Claim Rejections – 35 USC § 101

The rejection set forth in the previous Office Action has been withdrawn.

Double Patenting

The rejection set forth in the previous Office Action has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 34-39, 41, 43-51, 53, and 58-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Remington (6,070,150).

Remington discloses a method and corresponding system for electronic bill presentment and payment comprising processing bill data to generate bill summary information, wherein the processing occurs at a location remote from a customer associated with the bill data and a location remote from a biller associated with the bill

data, storing the generated bill summary information, and <u>transmitting the generated bill</u>

<u>summary information for display</u> (col.5, line 45 to col.6, line 30 and col.16, line 15 to

col.17, line 5); processing the bill information to generate the bill data includes

normalizing the bill information and the stored bill data is the normalized bill information

(col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); merging the bill data

with a template to generate bill detail information (col.5, line 45 to col.6, line 30 and

col.16, line 15 to col.17, line 5); storing the generated bill detail information (col.5, line

45 to col.6, line 30 and col.16, line 15 to col.17, line 5); transmitting, via a network, the

generated bill detail information to the customer (col.5, line 45 to col.6, line 30 and

col.16, line 15 to col.17, line 5); receiving a request, via the network, for a bill from <u>on</u>

<u>behalf</u> of the customer, <u>wherein at least one of the processing and transmitting is</u>

<u>performed responsive to the request</u>; (col.5, line 45 to col.6, line 30 and col.16, line 15

to col.17, line 5); the generated bill detail information is stored in a cache (col.5, line 45

to col.6, line 30 and col.16, line 15 to col.17, line 5); wherein the bill information is

received from the biller via a network (col.5, line 45 to col.6, line 30 and col.16, line 15

to col.17, line 5); a communications port configured to receive and transmit bill related

information; a memory configured to store bill related information and a processor in

communication with the communications port and the memory and configured to

process bill data to generate bill summary information, <u>wherein the processing occurs at</u>

<u>a location remote from a customer associated with the bill data and a location remote</u>

<u>from a biller associated with the bill data,</u> and to store the bill summary information in

the memory (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5);

processing the bill information to generate the bill data includes normalizing the bill

information and the stored bill data is the normalized bill information (col.5, line 45 to

col.6, line 30 and col.16, line 15 to col.17, line 5); processor is further configured to

retrieve the stored bill merge the bill data with a template to generate bill detail

information (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); the

processor is further configured to store the generated bill detail information in the

memory (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); the

processor is further configured to cause the communications port to transmit the

generated bill detail information to the customer via a network (col.5, line 45 to col.6,

line 30 and col.16, line 15 to col.17, line 5); the processor is further configured to

receive a request, via a network and from the communications port, for a bill on behalf

of the customer, <u>wherein at least one of the processing and the transmitting is</u>

<u>performed responsive to the request</u> (col.5, line 45 to col.6, line 30 and col.16, line 15 to

col.17, line 5); the processor is further configured to store the generated bill detail

information in the memory (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17,

line 5); the memory includes a cache portion and the generated bill detail information is

stored in the cache portion (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17,

line 5); the billing information is received from the biller via a network (col.5, line 45 to

col.6, line 30 and col.16, line 15 to col.17, line 5); receiving, from the biller, bill

information for the customer; processing the bill information to generate the bill data and

storing the generated bill data (col.5, line 45 to col.6, line 30 and col.16, line 15 to

col.17, line 5); the generated bill summary information is transmitted to the customer

(col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); wherein displaying

the generated bill summary information includes viewing a webpage over the Internet

(col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); the generated bill

summary information represents a plurality of bills (col.5, line 45 to col.6, line 30 and

col.16, line 15 to col.17, line 5); the plurality of bills is from a plurality of billers (col.5, line

45 to col.6, line 30 and col.16, line 15 to col.17, line 5); the request is received from the

customer (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); receiving a

request, via the network, for a bill on behalf of the customer, wherein the transmitting is

performed responsive to the request (col.5, line 45 to col.6, line 30 and col.16, line 15 to

col.17, line 5); the processor is further configured to receive, from a biller and via a

communications port, bill information for a customer of the biller, process the bill

information to generate bill data, and store the bill data in the memory (col.5, line 45 to

col.6, line 30 and col.16, line 15 to col.17, line 5); the generated bill summary

information represents a plurality of bills (col.5, line 45 to col.6, line 30 and col.16, line

15 to col.17, line 5); the plurality of bills is from a plurality of billers (col.5, line 45 to

col.6, line 30 and col.16, line 15 to col.17, line 5); the request is received from the

customer (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5); the system

is further configured to receive a request, via the network, for a bill on behalf

of the customer, and the transmitting is performed responsive to the request (col.5, line

45 to col.6, line 30 and col.16, line 15 to col.17, line 5); and a means for processing bill

data to generate bill summary information, wherein the processing occurs at a location

remote from a customer associated with the bill data and a location remote from a biller

associated with the bill data, a means for storing the generated bill summary

information, and a means for transmitting the generated bill summary information for

display (col.5, line 45 to col.6, line 30 and col.16, line 15 to col.17, line 5).

Response to Arguments

Applicant's arguments with respect to claims 34-39, 41, 43-51, 53, and 58-70

have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
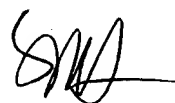
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lalita M. Hamilton whose telephone number is (571)

272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LALITA M. HAMILTON
PRIMARY EXAMINER